

**Refugee Review Tribunal  
AUSTRALIA**

**RRT RESEARCH RESPONSE**

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**Questions**

- 1. Please provide information on the current treatment of CUD supporters in Ethiopia.**
- 2. Please provide information on the current treatment of journalists in Ethiopia.**
- 3. Does the Ethiopian government target journalists who have resigned after working with the government media?**
- 4. Please provide information on the treatment of known or suspected anti-government political activists in Ethiopia.**
- 5. How difficult would it be for a person who had previously been detained by the authorities for participating in anti-government political activity in Ethiopia to obtain a passport and leave the country?**
- 6. Please provide information on the treatment of known or suspected failed asylum seekers who return to Ethiopia?**
- 7. Please provide information on National-ARC in Ethiopia.**

**RESPONSE**

- 1. Please provide information on the current treatment of CUD supporters in Ethiopia.**

A RRT research response dated 20 November 2006 includes information on the treatment of Coalition for Unity and Democracy (CUD) members at that time, and also during and after the 2005 elections in Ethiopia. The response also provides general information on the CUD (RRT Research & Information 2006, *Research Response ETH30982*, 20 November – Attachment 1).

The US Department of State report on human rights practices in Ethiopia for 2006 indicates that “[t]he CUD leadership, civil society members, human rights defenders, and journalists arrested following the demonstrations in November 2005 remained on trial at year’s end, facing charges of treason, attempted genocide, and “outrages against the constitution,” among other serious charges carrying potential punishments of life in prison or death” (US Department of State 2007, *Country Reports on Human Rights Practices for 2006 – Ethiopia*, March, Section 1(e) – Attachment 2).

An operational guidance note on Ethiopia dated 4 April 2007 by the UK Home Office also includes information on the situation of members of the CUD during 2005 and 2006 (UK Home Office 2007, *Operational Guidance Note: Ethiopia*, 4 April, pp. 8-10 – Attachment 3).

An Amnesty International report dated August 2007 provides further information on the trial of the CUD leaders and others. It is stated in the report that:

The most politically significant of the post-election trials has been that of the detained CUD leaders, journalists and human rights defenders. The defendants include several who were elected to parliament and to Addis Ababa City Council but had refused to take up their positions in protest and were on trial for allegedly instigating the violence. Amnesty International considered most, if not all, of the detainees to be prisoners of conscience.

Initially, 131 people were charged. However, the trial started in May 2006 with only 76 defendants in court, in addition to four political parties and six newspaper publishing houses. Twenty-five defendants were tried in their absence. Twenty-eight defendants were freed in April 2007 when the judges ruled they had no case to answer.

In July 2007, 38 defendants were convicted. They had refused to present a defence on the grounds that they did not expect a fair trial. Later, it appeared the 38 defendants were about to present a defence, but the judge cut them short and convicted them as charged. They were found guilty of “outrages against the Constitution” and “impairing the defensive power of the state”. Five of them were also convicted of “leading, preparing or inciting armed opposition”. All 38 had earlier been acquitted of “treason” and “attempted genocide”. The prosecutor asked for death sentences for all 38. The court instead sentenced most of them to life imprisonment, with lesser prison terms for others. Four days later, on 20 July, the 38 were pardoned and released at the instigation of the Prime Minister, Meles Zenawi, after they signed a letter apologizing for “mistakes” in the protests and promising to respect the government and Constitution. At least one of the detainees claimed after he was released that this statement was signed under duress.

Nine others were due to present a defence, but after pardons were granted to the 38, all but two retracted their defences, and pleaded guilty to the charges in the expectation that they would also be pardoned. They were convicted and sentenced to long prison terms. The seven who were sentenced are likely to be quickly pardoned and released in a matter of days. Currently only two of the defendants, human rights defenders Daniel Bekele and Netsanet Demissie, remain in prison.

The CUD leaders’ trial was only one of at least four connected trials of opposition members arrested on the same grounds. More are expected to be pardoned but the CUD claims that some 1,800 members are still being held without trial in different areas since 2005 (Amnesty International 2007, *Ethiopia: Political repression must stop*, August, AFR 25/013/2007 [http://www.amnesty.org/en/alfresco\\_asset/1a470d88-a2b0-11dc-8d74-6f45f39984e5/afr250132007en.html](http://www.amnesty.org/en/alfresco_asset/1a470d88-a2b0-11dc-8d74-6f45f39984e5/afr250132007en.html) - Accessed 18 January 2008 – Attachment 4).

A *Reuters News* article dated 19 August 2007 indicates that Ethiopia had “freed 31 opposition members on Saturday who had been held without charge since a disputed 2005 election led to violent street protests, a senior official said.” According to the article:

The Coalition for Unity and Democracy (CUD) members were arrested after they cried foul over some 2005 election results, sparking protests in which 200 people were killed, 800 wounded and 30,000 arrested, according to a parliamentary inquiry.

“They admitted their guilt in a letter,” Special Adviser to Prime Minister Meles Zenawi, Bereket Simon, told Reuters. “That is the basis for their pardon.”

The article also indicates that those released did not have convictions and the CUD had “rejected the pardons as “theatre” meant to humiliate the opposition.” The government official “said the government wanted to give the opposition the chance to “participate in the democratic process as long as the rule of law is respected”” (Malone, Barry 2007, ‘Ethiopia releases 31 more opposition detainees’, *Reuters News*, 19 August – Attachment 5).

An earlier DFAT advice dated 13 September 2006 includes information on whether CUD leaders, official or organisers were still being arrested as late as June 2006, and whether those CUD leaders/officials still in custody were relatively high profile rather than low profile organisers at a local level. The advice indicates that:

**A.5.** The last major ‘round-ups’ of CUD supporters and organisers was in November 2005. Tens of thousands, were arrested (mostly from Addis Ababa) and they have since been released. At this time the main high profile leaders of the CUD, some civil society organisations and journalists/editors were also arrested. More than 100 of these remain on trial for crimes including genocide. The international community cannot rule out that there may be lower-level CUD members still in jail on politically motivated charges (or no charges at all, or lost in the system), but most of those still detained are high level officials.

Since November, there has not been a wide-scale or systematic policy to arrest large numbers of CUD leaders/organisers/officials. CUD members and community organisers (and civil society, media and other opposition parties) continue to face implicit or explicit discrimination, but the situation on this front in Ethiopia is relatively calm. Our contacts state that approximately 100 members of parliament from CUD constituent parties sit in the House of Peoples Representative and the small number of those duly elected who chose not to sit in the parliament go about their lives. Our contacts in a foreign embassy stated they periodically receive reports of large numbers of arrests (in the dozens or hundreds) in Oromia, but recent cases appear to be more closely related to perceived Oromo Liberation Front (OLF) sympathy than CUD (DIAC Country Information Service 2006, *Country Information Report No. 06/52 – Ethiopia: Passport Issue Arrangements*, (sourced from DFAT advice of 13 September 2006), 15 September – Attachment 6).

A more recent DFAT advice dated 14 November 2007, which looks at whether supporters of the CUD are subjected to harassment, indicates that “[t]he Kinijit (also known as the Coalition for Unity and Democracy or CUD), is the major opposition group, and as such is blamed by the government for any threats to security that occurred after the May 2005 elections. Therefore anyone linked to the party is subjected to some form of harassment.” It is further stated in the DFAT advice that:

After the 2005 elections, thousands were arrested for charges considered to be politically motivated while a significant number were reportedly forced into exile. There have been reports of the government and police targeting anyone known to be a CUD supporter much

less a member. These attacks were on a larger scale in the rural areas where access is limited and thus where reports of such acts are less likely to surface. There have also been reports of random and unaccounted arrests of CUD members and supporters.

The extent of harassment is so severe that many refrain from showing support in fear of harassment or even detention.

The government has blocked pro-CUD websites from being accessed through the sole local internet service provider. The government-run TV station continually broadcasts propaganda against the Kinijit party and its members, holding party members accountable to acts of terrorism (DIAC Country Information Service 2007, *Country Information Report No. 07/82 – Ethiopia: Country Information*, (sourced from DFAT advice of 14 November 2007), 14 November – Attachment 7).

A *Reuters News* article dated 16 January 2008 indicates that the CUD's leaders "are now divided into several groups and accuse each other of violating party rules." The National Ethiopian Election Board had also given the CUD "title to a splinter group." According to the article:

An Ethiopian opposition party, whose leaders had been charged with treason, has lost the right to use its name after the country's election board decided on Wednesday to give the title to a splinter group.

"A political party led by Ayele Chameso is the sole owner of the Coalition for Unity and Democracy (CUD)," the National Ethiopian Election Board said in a statement.

In July, 37 CUD leaders were pardoned by Prime Minister Meles Zenawi after spending almost two years in a maximum security prison during a treason trial that ended in a conviction.

They had been arrested on charges of inciting their followers to riot after disputed elections in 2005 sparked two bouts of unrest in which 199 people were killed, 800 wounded and 30,000 arrested.

They are now divided into several groups and accuse each other of violating party rules.

"The former opposition leaders came under the CUD umbrella to challenge the dominant ruling party in the 2005 election," said one analyst who declined to be named.

"In the normal sense they are of different disciplines, ideas and programmes, they were never homogenous."

Hailu Shawel, who was chairman of CUD, suspended five top party leaders accusing them of plotting his overthrow.

The article also indicates that "Ayele's party is a splinter group of the former CUD but has no seat in parliament." Ayele had "asked 40 members of parliament who were elected under the CUD banner to join his group, but a spokesman for the group said they did not recognize Ayele's faction and would go to court to regain their old name." According to political analysts, "the splinter groups have no option but to revert to party names they used before joining the coalition" (Tadesse, Tsegaye 2008, 'Ethiopian CUD opposition party loses name', *Reuters News*, 16 January – Attachment 8).

## **2. Please provide information on the current treatment of journalists in Ethiopia.**

The US Department of State 2006 report on human rights practices in Ethiopia indicates that “[w]hile the constitution and law provide for freedom of speech and press, the government restricted these rights in practice. The government continued to harass and prosecute journalists, publishers, and editors for publishing allegedly fabricated information and for other violations of the press law... Relations between the private press and the government were not as strained as in the period immediately following the elections and the disturbances of June and November 2005, but the majority of private media existing in 2005 was effectively silenced by the closure of several publications and self-censorship following arrests and indictments of journalists.” The report refers to a number of journalists being convicted on various charges during the reporting period. The report also indicates that journalists arrested along with the CUD leadership and others “following the demonstrations in November 2005 remained on trial at year’s end, facing charges of treason, attempted genocide, and “outrages against the constitution,” among other serious charges carrying potential punishments of life in prison or death... Five Voice of America (VOA) journalists were among those initially charged, although their cases were dropped following international pressure” (US Department of State 2007, *Country Reports on Human Rights Practices for 2006 – Ethiopia*, March, Sections 1(e) & 2(a) – Attachment 2).

An article dated 12 April 2007 refers to a Committee to Protect Journalists report that indicates that “Ethiopia’s High Court today acquitted and set free eight editors and publishers of Amharic-language newspapers who have been jailed on antistate charges since a massive November 2005 government crackdown, according to local journalists and media reports.” According to the article:

Today’s ruling followed Thursday’s acquittal of Kifle Mulat, the exiled president of the banned Ethiopian Free Press Journalists Association, of the single charge of “outrage to the constitution and the constitutional order” over his organization’s criticism of the government crackdown, according to local media reports.

At least nine other journalists remain behind bars on similar charges, according to CPJ research. Ethiopia remains Africa’s second leading jailer of journalists, behind only Eritrea. The acquitted journalists had been charged with “outrages against the constitution or constitutional order,” “impairment of the defensive power of the state,” and “attempted genocide,” after the publications of editorials critical of the government’s conduct surrounding the May 2005 parliamentary elections, according to CPJ research (‘Ethiopian High Court acquits eight journalists on antistate crimes’ 2007, *IFEX News Alert Subscription*, source, Committee to Protect Journalists (CPJ), New York, 12 April – Attachment 9).

Another article dated 20 July 2007 by Reporters Without Borders indicates that the Ethiopian government had “heeded international pleas and pardoned 38 opposition members, including four journalists, who had been given jail terms ranging from six months to life on 16 July... Two other journalists who were given life sentences in absentia – Menilik editor Zelalem Guebre and Netsanet editor Abey Gizaw – have not so far been included in the pardon.” The article notes that Ethiopia’s Prime Minister Meles Zenawi had “taken account of the international community’s appeals but he made the release of these prisoners conditional on their signing an ‘apology to the Ethiopian people’ for the ‘mistakes made in November 2005’” (Reporters Without Borders 2007, ‘Four journalists convicted of treason are pardoned and freed’, Reporters Without Borders website, 20 July

[http://www.rsf.org/article.php3?id\\_article=22960](http://www.rsf.org/article.php3?id_article=22960) – Accessed 17 January 2008 – Attachment 10).

An article dated 21 August 2007 in *The Washington Post* indicates that “[t]hree Ethiopian journalists who had been held for almost two years in an Addis Ababa prison said that days after being cleared of all charges and released this spring, they each received death threats from government security agents.” Interviewed in Kenya, “the journalists also described being subjected to psychological torture during their confinement with other political prisoners in a stifling cell on the outskirts of the Ethiopian capital. They said that after their release they had had high hopes of starting a new life, but government agents almost immediately began hounding them, harassing them with phone calls and otherwise terrorizing them into fleeing their country for Kenya.” The men lived “in hiding, having heard an unconfirmed report that Ethiopian security forces have come to Nairobi” (McCrummen, Stephanie 2007, ‘Freed Ethiopians Describe Threats; Journalists Detail Abuse, Intimidation’, *The Washington Post*, 21 August – Attachment 11).

A Committee to Protect Journalists press release referred to in an *All Africa* article dated 22 August 2007, indicates that “[f]our imprisoned Ethiopian journalists of now-defunct Amharic-language weeklies were released on conditional pardon on Saturday along with 27 opposition activists, according to news reports and local journalists. The four journalists had been given heavy prison sentences earlier this month in connection with their coverage of deadly post-election unrest in 2005.” They “had received prison terms ranging from four to 15 years after waiving their defense and pleading guilty in anticipation of a pardon.” The article also indicates that “Ethiopian government spokesman Zemedkun Tekle” had “told CPJ the journalists could resume their activities, but were forbidden from engaging in “any subversive action against the Constitution.” But, he added, they were free to criticize the government “as they were doing before.” He dismissed reports that confessions of guilt had been obtained under duress as “absolutely false and baseless rumors.”” The four journalists “were the last members of Ethiopia’s private press corps to be released in connection with the media’s coverage of the election unrest, which left more than 190 people dead, the journalists’ former defense lawyer Weneawake Ayele told CPJ. At least two journalists remain in Ethiopian prisons in connection with their reporting, however, according to CPJ research” (‘Four Journalists Released From Prison On Conditional Pardon’ 2007, *All Africa*, source: Committee to Protect Journalists, 22 August – Attachment 12).

Another *All Africa* article dated 11 October 2007 indicates that the Committee to Protect Journalists had said that “34 Ethiopian editors and reporters” had “been forced into exile since 2001... a period during which only Zimbabwe has produced more exiled journalists.” The article also indicates that “[a]lthough journalists detained during the 2005 crackdown have been released, many have gone into hiding, independent newspapers remain shuttered and self-censorship is rampant” (‘Horn of Africa Stories – ‘One Life Saved, the Other Lost’ 2007, *All Africa*, source: Committee to Protect Journalists, 11 October – Attachment 13).

An *Afrol News* article dated 16 October 2007 notes that on “the worldwide press freedom index 2007 report published by the Paris-based media rights watchdog, Reporters sans frontieres (RSF)” which measured press freedom in 169 countries, “Ethiopia [150] moved above its previous position mainly because of the release of the 2005 detained journalists.” Eritrea was ranked last in the index (‘Worst press freedom abuser’ 2007, *Afrol News*, 16 October – Attachment 14).

An article dated 29 October 2007 indicates that “[t]he Committee to Protect Journalists says Ethiopia is the country where press freedom has most deteriorated in the past five years. The international press watchdog group says that Ethiopian journalists routinely face censorship, harassment and imprisonment if they publish reports critical of the government.” The article refers to comments by Yoseph Mulugeta, the “secretary-general of the Ethiopian Human Rights Council. “We are not in a position now to see those media, free press, expressing views and people interacting about issues that have even remotely touched upon politics. The free press now we have is focusing on sports, medical issues, romance, things of that sort,” he explains.” The article also indicates that:

For its part, the government says it is committed to press freedom, but officials say journalists go too far in their reporting and end up supporting the opposition in trying to overthrow the government, or incite violence.

The most common charges against journalists are treason, publishing false news, and genocide, in cases where journalists are accused of targeting specific ethnic groups.

Netsannet Asfaw is deputy director of the government’s millennium committee. She says there are many private newspapers in Ethiopia, and that media can operate freely as long as they report responsibly. “There was a newspaper that had in it printed, a material that said that a certain population should be quarantined because they are poison to Ethiopia,” she told us. “That should not be allowed, in my view. What would this create? Violence against each other among society.”

Meanwhile, journalists rights groups are calling for greater press freedoms so that, they say, Ethiopians can better participate in their society (Majtenyi, Cathy 2007, ‘VOA News: Journalists say press freedoms lacking in Ethiopia’, *US Fed News*, source: Voice of America, 29 October – Attachment 15).

A *BBC Monitoring Media* article dated 3 January 2008 refers to a report by the Committee to Protect Journalists that indicates that three Ethiopian journalists had told the CPJ the government had “denied them applications to launch new newspapers”. It is stated in the article that:

All the journalists spent 17 months in prison following the country’s 2005 elections. The newspapers were slated to become the country’s first independent political publications since authorities banned eight local papers and forced at least a dozen others to close after the 2005 deadly post-election unrest.

Award-winning publisher Serkalem Fasil, her husband, columnist Eskinder Nega and publisher Sisay Agena fulfilled all legal requirements and submitted applications for Lualawi and Habesha - two current affairs Amharic-language weeklies - since mid-September.

... “Despite public assurances in July that it would allow former prisoners to resume their work, the Ethiopian government instead is using bureaucratic tactics to deny independent journalists an outlet,” CPJ executive director Joel Simon said. “We call on the government to remove such obstacles and allow our colleagues the right to publish newspapers.”

Fasil and Agena, the former owners of four banned newspapers, had their former publishing companies fined and dissolved in July 2007, three months after Ethiopia’s High Court acquitted them of anti-state charges. Authorities subsequently withdrew an appeal to reinstate the charges in October, according to local journalists.

Ethiopia's ministry of information is mandated to "facilitate conditions for the expansion of the country's media both in variety and in numbers," according to the press law, but independent media outlets remain scarce, according to CPJ research.

Last October, authorities allowed two independently-owned media outlets to open: private commercial station Sheger Radio and current affairs weekly Addis Neger, although both operated under intense self-censorship, according to local journalists.

The Committee to Protect Journalists named Ethiopia the world's worst backslider on press freedom in 2007 ('Ethiopia: Freed journalists barred from launching newspapers – CPJ' 2008, *BBC Monitoring Media*, source: Committee to Protect Journalists website, New York, 3 January – Attachment 16).

### **3. Does the Ethiopian government target journalists who have resigned after working with the government media?**

A search of the sources consulted found little specific information on whether the Ethiopian government targets journalists who have resigned after working with the government media. An article dated 29 September 2006 on the Oromo Liberation Front website refers to government journalists defecting overseas after "refusing orders to produce false stories about opposition parties". It is stated in the article that:

More than ten government journalists had defected to the US, Europe and Asia fearing persecution, subsequent to refusing orders to produce false stories about opposition parties, source said.

According to sources, journalists of the government controlled media in Ethiopia, who refuses order from the authorities to misinform the public are threatened to death.

Escaped journalists say, the general manger of the government press agency, Kefyalew Azeze, insists all government journalists to produce false news about the popular Coalition for Unity and Democracy (CUD) party. You have no right to question any orders from the boss, says one of the defected journalist, our other option is incarceration with treason charges. Dereje Tedla, journalist at government news agency and the Amharic daily Addis Zemen, who defected from Ethiopia to Japan, is known for his bravely challenging the [Prime Minister] Meles Zenawi regime.

In a letter written to EMF [Ethiopian Media Forum, presumably based in USA] on Wednesday, 27 September, 2006, Dereje said the federal police officers came to his home On 25 November 2005, midnight and warned him to stop any opposition against the government, otherwise they were ready to kill him and all his family.

Exhausted with intimidation and harassment, Dereje Tedla, 29, said that when he is approached by a soldier who threatened him by saying, I am ready to kill you unless you denounce CUD". He had to make his way to escape from the brutal regime and through sponsorship by IAAF [International Association of Athletics Federation]; he entered Japan, where he applied for political asylum ('Ten government journalists reportedly defect' 2006, *BBC Monitoring Alert*, source: Oromo Liberation Front website, 29 September – Attachment 17).



The US Department of State 2006 report on human rights practices in Ethiopia notes that “[p]rivate and government journalists routinely practiced self censorship” in Ethiopia. The report also indicates that “[i]n January 2005 authorities arrested Shiferew Insemu, a journalist with the Oromo-language service of the state-owned Ethiopian Television (ETV), for the third time, at the central criminal investigation office prison in Addis Ababa. Insemu and fellow ETV journalist Dhabassa Wakjira, who was arrested in April 2004, remained in detention on several charges, including passing government information to the OLF leadership. Prison authorities ignored various court orders to free them” (US Department of State 2007, *Country Reports on Human Rights Practices for 2006 – Ethiopia*, March, Section 2(a) – Attachment 2).

#### **4. Please provide information on the treatment of known or suspected anti-government political activists in Ethiopia.**

An Amnesty International article dated 9 January 2008 indicates that “[o]n 24 December, human rights defenders Daniel Bekele and Netsanet Demissie were convicted of “provoking and preparing outrages against the Ethiopian Constitution”. Amnesty International considers they were convicted solely for their peaceful civil society activism.” On 26 December 2007, both men were sentenced to “two and a half years’ imprisonment. As they had already been imprisoned for 25 months they could be freed shortly, in accordance with the usual one-third remission of sentence for good behaviour.” Bekele and Demissie were “the last still remaining in prison” of “131 CUD leaders and officials, journalists and human rights defenders... put on trial (several in their absence) for political offences punishable by death or life imprisonment” in December 2005 (Amnesty International 2008, *Prisoner of conscience: Daniel Bekele (m), policy manager of the Ethiopian office of ActionAid (international development NGO), lawyer, Netsanet Demissie (m), director of NGO Organization for Social Justice in Ethiopia*, 9 January – Attachment 18).

An article dated 26 November 2007 indicates that three Ethiopian opposition parties, “[t]he United Ethiopian Democratic Forces (UEDF), the Coalition for Unity and Democracy (CUD) and the Oromo Federalist Democratic Movement (OFDM)” were seriously concerned about “the closure of party offices throughout the country and the continued harassment and incarceration of their members.” In a joint statement, the parties said “there needs to be a halt to the harassment and intimidation of members of opposition parties by the ruling party cadres so that the former can conduct their election campaigns freely.” The parties were expressing “their concerns regarding the “unsuitable” conditions for holding the impending local elections and by-elections” (“Ethiopia urged to halt “harassment and intimidation” of opposition members’ 2007, *BBC Monitoring Africa*, source: The Reporter, Addis Ababa, 26 November – Attachment 19).

The article dated 21 August 2007 in *The Washington Post* refers to “[t]hree Ethiopian journalists who had been held for almost two years in an Addis Ababa prison” saying “that days after being cleared of all charges and released this spring, they each received death threats from government security agents.” The article indicates that:

The government of Prime Minister Meles Zenawi has often dealt brutally with people deemed threatening to his fragile ruling coalition. In the capital, people suspected of supporting opposition groups routinely disappear from their neighborhoods, according to the Ethiopian Human Rights Council, a pro-democracy group based in Addis Ababa.

Elsewhere, the government is conducting brutal campaigns against separatist rebels and opposition movements in the Ogaden and Oromia regions, where the council and reporters have documented widespread extrajudicial killings, illegal detentions and torture.

...Some Ethiopians had held out hope that the release in April of the journalists and others -- and especially the subsequent pardon and release of the country's top opposition leaders last month -- marked a turning point for the Ethiopian government (McCrummen, Stephanie 2007, 'Freed Ethiopians Describe Threats; Journalists Detail Abuse, Intimidation', *The Washington Post*, 21 August – Attachment 11).

The Amnesty International report dated August 2007 indicates that “[t]he human rights crisis in Ethiopia continues.” It is stated in the report that:

Despite recent releases of detainees, including prominent prisoners of conscience, many others are still imprisoned against a backdrop of political repression in the country. Two prisoners of conscience remain in detention following the key post-election trial which saw 38 detainees released in July 2007. Also imprisoned are members of the Ethiopia Teachers' Association (ETA) who state they have been tortured in detention. Amnesty International is calling on the Ethiopian government to immediately release all prisoners of conscience. It is also calling for fair trials for all detainees and an end to torture and the death penalty.

The report also refers to the “political unrest which has dominated Ethiopia since the parliamentary elections of May 2005.” According to the report:

Demonstrations in June and November 2005 protesting at alleged fraud in the elections were violently dispersed; security forces shot dead 187 people and wounded 765 others. Six police officers were killed by demonstrators. An Ethiopian Parliamentary Commission investigating the incident found that the security forces did not use excessive force. Some commission leaders who have since left Ethiopia, however, later stated that their findings had been altered by the government before the report was released.

In the aftermath of the violence, tens of thousands of opposition party members were detained for periods of up to several months without charge or trial. In December 2005, 131 opposition politicians, journalists and human rights defenders were placed on trial for offences ranging from attempted genocide, and outrages against the Constitution, to treason. All of these offences carry the death penalty. Many of those put on trial, therefore, faced possible death sentences for offences which appear to have stemmed merely from the peaceful expression of their political beliefs.

The May elections and the subsequent demonstrations and arrests occurred in the context of a country in the throes of widespread violence. Armed rebellions and counter-insurgency operations in the Oromia, Gambela and Somali Regions have been marked by wide scale arrests and the torture and killing of civilians, predominantly by government forces. There have been tensions between Ethiopia and Eritrea over their contested border.

As mentioned in the answer to Question 1, the report includes information on the post-election trial of detained CUD leaders, journalists and human rights defenders. The report also refers to allegations that the authorities tortured three teachers, two of whom were “members of the ETA, the largest trade union in Ethiopia” that had “been a strong critic of recent government policies” (Amnesty International 2007, *Ethiopia: Political repression must stop*, August, AFR 25/013/2007 [http://www.amnesty.org/en/alfresco\\_asset/1a470d88-a2b0-11dc-8d74-6f45f39984e5/afr250132007en.html](http://www.amnesty.org/en/alfresco_asset/1a470d88-a2b0-11dc-8d74-6f45f39984e5/afr250132007en.html) - Accessed 18 January 2008 – Attachment 4).

An Immigration and Refugee Board of Canada response to information request dated 2 March 2007 includes information on the treatment by the authorities of protestors following the elections held in Ethiopia on 15 May 2005, and of demonstrators and suspected separatist Oromo Liberation Front sympathisers in Oromia in 2005 and 2006. The report also refers to sources that provide information on the treatment of human rights activists by the authorities. The report notes that:

HRW, reporting on the “excessive force” used by the Ethiopian government to quell the post-election protests, notes that in recent years, people have been detained indefinitely without trial (13 Jan. 2006). Referring to government actions in response to the June demonstrations, the HRW reports that it was not the first time that Ethiopian security forces have killed large numbers of protestors (HRW 15 June 2005) (Immigration and Refugee Board of Canada 2007, *ETH102024.E - Ethiopia: Treatment of political dissidents by government authorities, specifically student and human rights activists (2005 – 2006)*, 2 March <http://www.irb-cisr.gc.ca/en/research/rir/?action=record.viewrec&gotorec=450972> – Accessed 17 January 2008 – Attachment 20).

The US Department of State report on human rights practices in Ethiopia for 2006 (US Department of State 2007, *Country Reports on Human Rights Practices for 2006 – Ethiopia*, March – Attachment 2), and the UK Home Office operational guidance note on Ethiopia dated 4 April 2007 (UK Home Office 2007, *Operational Guidance Note: Ethiopia*, 4 April – Attachment 3), also provide information on the human rights situation in Ethiopia during 2006.

## **5. How difficult would it be for a person who had previously been detained by the authorities for participating in anti-government political activity in Ethiopia to obtain a passport and leave the country?**

The DFAT advice dated 13 September 2006 provides information on the character checks/police checks that are required for passport issue in Ethiopia and whether an individual’s previous detention would be a problem or have triggered a need for an interview or other checks. It is stated in the DFAT advice that:

**A.4.** Under standard operating procedures, police checks are not made prior to issue of a passport. However, without more precise information regarding the nature of detention (i.e. political or criminal or whether the person has been charged, convicted or is under suspicion). Our contacts state that they are unable to speculate on whether the passport office might have received some form of special advisory to be on the alert for a particular passport application.

The DFAT advice also looks at whether someone wanted by the security forces in relation to anti- government political activities would be able to obtain a passport and depart the country without difficulties. According to the advice:

**A.1.** A person wanted by security personnel would likely face problems with Immigration (the passport issuing office and at departure control). Depending on the extent of the security force’s interest in detaining a person, that individual’s biodata would likely be disseminated to the eleven border crossings, as well as to the two international points of departure managed by Immigration authorities. To obtain a passport, the residential ID (the Kebele card) issued by the lowest level authorities (the Kebeles) is required. That may also be another point of control for the authorities. But this does not preclude instances where such individuals might be able to leave the country without difficulty, possibly using an alternate identity.

In relation to whether bribery could be used to overcome any problems in relation to passport issue or departure for someone wanted by the authorities, the advice indicates that:

**A.2.** Although Ethiopia is generally believed to have less corruption than in neighbouring countries, it is not possible to rule out bribery of authorities at any level, with the Kebele level likely the most vulnerable. Problems at departure points, with their multiple checks, would be more difficult to overcome. Bole International Airport, in particular, has more stringent security as a result of direct flights to the US, UK and Israel. However, it has been noted that the physical layout of boarding areas at Bole does not preclude a passenger boarding a flight without having his/her documents examined at the boarding gate when traffic volumes are high.

The advice also notes that “[w]hen a person applies for a passport, s/he needs to be physically present for collections or legally delegate another party to collect the passport on his/her behalf” (DIAC Country Information Service 2006, *Country Information Report No. 06/52 – Ethiopia: Passport Issue Arrangements*, (sourced from DFAT advice of 13 September 2006), 15 September – Attachment 6).

## **6. Please provide information on the treatment of known or suspected failed asylum seekers who return to Ethiopia?**

A search of the sources consulted found limited specific information on the treatment of known or suspected failed asylum seekers who return to Ethiopia. An Amnesty International report dated 31 October 2007 indicates that “the Sudanese authorities” had “forcibly returned 15 recognized refugees to Ethiopia” on 27 September 2007. It is stated in the report that:

On 27 September, the Sudanese authorities forcibly returned 15 recognized refugees to Ethiopia, handing them over at the Ethiopia-Sudan border. Their whereabouts are now unknown and Amnesty International believes they are at risk of enforced disappearance, arbitrary and incommunicado detention, torture and unfair trials.

The office of the UN High Commissioner for Refugees (UNHCR) announced on 11 October that the 15 had been part of a group of more than 30 Ethiopian refugees arrested in early July 2007 by Sudanese intelligence officers in Khartoum and Blue Nile state.

Among the 15 was Atanaw Wasie, who has chronic asthma for which he needs medical treatment. He was a leader of the Ethiopian Democratic Union (EDU) political party, which opposed the Dergue government that was overthrown in 1991, but is no longer active. He was arrested on 7 July 2007 in the eastern town of Gedaref and held incommunicado.

Others who were returned and detained are reported to be alleged members of the Oromo Liberation Front (OLF), which is fighting the Ethiopian security forces in the Oromia Region. Several thousand members of the Oromo ethnic group have been arbitrarily detained and tortured in Ethiopia in recent years.

...The Ethiopian foreign minister visited Sudan in June 2007. Shortly afterwards, in early July, hundreds of Ethiopian and Eritrean nationals living in Sudan were arrested. Many were asylum-seekers or recognized refugees. Many of the detainees had been living in Sudan as refugees since the late 1970s; others were opponents of the Ethiopian government of Prime Minister Meles Zenawi, who have been arriving in Sudan since the 1990s to seek asylum (Amnesty International 2007, *UA 280/07 Forcible return/fear of torture or ill-treatment/incommunicado detention/prisoner of conscience: Ethiopia: Atanaw Wasie (m)*,

aged 74, political activist, 14 Ethiopian refugees, 31 October, AFR 25/024/2007  
[http://www.amnesty.org/en/alfresco\\_asset/9187ebe6-a2b0-11dc-8d74-6f45f39984e5/af250242007en.html](http://www.amnesty.org/en/alfresco_asset/9187ebe6-a2b0-11dc-8d74-6f45f39984e5/af250242007en.html) - Accessed 18 January 2008 – Attachment 21).

An article on the Ethiopian opposition website Ethiomedia referred to in a *BBC Monitoring Africa* article dated 31 July 2007, indicates that four Ethiopian fighter pilots who were reported to be defecting, “blamed the Zenawi [Ethiopian] regime for the disappearance of two Air Force pilots who had defected to neighboring Djibouti in June 2005 but were forcibly returned to Ethiopia and have never been heard of again.” According to the article:

Captain Behailu Gebre and Lt. Abiyot Mangudai defected to Djibouti in June 2005 after they disobeyed government orders to use their gunship helicopter to fire on anti-government protesters in Addis. Human rights organizations condemned the Djibout regime after deporting the pilots.

Fear of Ethiopian national anger forced Djibouti to misinform BBC on 19 July that the pilots were repatriated voluntarily but tearful family members of the pilots in Addis [Ababa] told Ethiomedia [opposition news agency] their return was a deportation order carried out jointly by the security forces of President Omar Guelleh of Djibouti and Prime Minister Meles Zenawi.”

The pilots who fell back into the hands of Meles, were tortured, and witnesses said the two were limping when they appeared before a military tribunal at Debre Zeit Air Force base, 32 km south of the Ethiopian capital.

At that time, Amnesty International called on the Meles regime to allow the pilots immediate access to relatives, lawyers and any medical treatment they may require. Amnesty also called for an investigation to establish whether the pilots had been “forcibly returned” to Ethiopia, in breach of international conventions.

The calls fell on deaf ears (‘Four Ethiopian fighter pilots reportedly defect’ 2007, *BBC Monitoring Africa*, source: Ethiomedia, 31 July – Attachment 22).

The US Department of State 2006 report on human rights practices in Ethiopia indicates that “[i]n June 2005 three Ethiopian air force personnel landed a military helicopter at Ambouli, Djibouti; two of them reportedly requested asylum, but an Ethiopian military delegation reportedly convinced them to return to Ethiopia the next day. Amnesty International (AI) and the UN High Commissioner for Refugees (UNHCR) attempted to visit them in Djibouti but were refused. At year’s end, family members told local press that the pilots were detained at an air force base and were restricted from seeing visitors.” The report also notes that in relation to freedom of movement within the country, foreign travel, emigration and repatriation:

Although the law provides for these rights, the government restricted some of these rights in practice.

... The law prohibits forced exile, and the government did not force any citizens into exile. A number of persons remained abroad in self imposed exile, including 54 journalists (see section 2.a.).

During the year the ICRC repatriated 988 Ethiopians from Eritrea and repatriated 83 Eritreans. Most Eritreans and Ethiopians of Eritrean origin registered with the government and received identity cards and six month renewable residence permits that allowed them to

gain access to hospitals and other public services. However, there were anecdotal reports that local government officials denied indigent Eritreans the right to free medical services (US Department of State 2007, *Country Reports on Human Rights Practices for 2006 – Ethiopia*, March, Sections 1(b0 & 2(d) – Attachment 2).

An article in the *Addis Tribune* dated 5 August 2005 refers to “[e]ight Ethiopian pilots who had sought political asylum in Belarus but were rejected by the Minsk government” turning “up safe in another European country”, according to a source. The pilots had been “on a six-month training in Minsk” and “asked for political shelter” after “post-election violence in their home country left at least 40 Ethiopians dead, and scores injured.” The article indicates that Belarus, “which has extensive military links with Ethiopia”, had been “under increasing pressure from the government of Prime Minister Meles Zenawi of Ethiopia, which used its ambassador to Moscow to facilitate the extradition of the airmen” (‘Ethiopian Pilots: Goodbye to Belarus’ 2005, *Addis Tribune*, 5 August – Attachment 23).

## **7. Please provide information on National-ARC in Ethiopia.**

An undated article on the Ethiopian AIDS Resource Centre website refers to “the national AIDS Resource Center (ARC)”, which is “located in Addis Ababa” and “is part of Ethiopia’s national HIV/AIDS strategy” (‘Ethiopia Poised to Open New Regional AIDS Resource Center in Oromia With Support from the U.S. President’s Emergency Plan and the Global Fund’ (Undated), Ethiopian AIDS Resource Centre website <http://www.etharc.org/spotlight/OARCLaunch.htm> - Accessed 17 January 2008 – Attachment 24). Another undated article on the Ethiopian AIDS Resource Centre website provides further information on the ARC (‘AIDS Resource Center in Addis Ababa, Ethiopia: About Us, Objectives’ (Undated), Ethiopian AIDS Resource Centre website <http://www.etharc.org/gettoknow.htm> - Accessed 17 January 2008 – Attachment 26).

## **List of Sources Consulted**

Internet Sources:

### **Government Information & Reports**

Immigration & Refugee Board of Canada <http://www.irb-cisr.gc.ca/>

UK Home Office <http://www.homeoffice.gov.uk/>

US Department of State <http://www.state.gov/>

### **United Nations (UN)**

UN High Commissioner for Refugees (UNHCR) Refworld website

<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain>

### **Non-Government Organisations**

Human Rights Watch <http://www.hrw.org/>

Amnesty International <http://www.amnesty.org>

Reporters Without Borders website <http://www.rsf.org/>

### **International News & Politics**

*BBC News* <http://news.bbc.co.uk>

### **Region Specific Links**

Ethiopian AIDS Resource Centre website <http://www.etharc.org/>

### **Search Engines**

Copernic <http://www.copernic.com/>

### Databases:

FACTIVA (news database)

BACIS (DIMA Country Information database)

REFINFO (IRBDC (Canada) Country Information database)

ISYS (RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State Reports)

MRT/RRT Library Catalogue

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12. 'Four Journalists Released From Prison On Conditional Pardon' 2007, *All Africa*, source: Committee to Protect Journalists, 22 August. (FACTIVA)

13. 'Horn of Africa Stories – 'One Life Saved, the Other Lost' 2007, *All Africa*, source: Committee to Protect Journalists, 11 October. (FACTIVA)
14. 'Worst press freedom abuser' 2007, *Afrol News*, 16 October. (CISNET Ethiopia CX186613)
15. Majtenyi, Cathy 2007, 'VOA News: Journalists say press freedoms lacking in Ethiopia', *US Fed News*, source: Voice of America, 29 October. (FACTIVA)
16. 'Ethiopia: Freed journalists barred from launching newspapers – CPJ' 2008, *BBC Monitoring Media*, source: Committee to Protect Journalists website, New York, 3 January. (FACTIVA)
17. 'Ten government journalists reportedly defect' 2006, *BBC Monitoring Alert*, source: Oromo Liberation Front website, 29 September. (CISNET Ethiopia CX162785)
18. Amnesty International 2008, *Prisoner of conscience: Daniel Bekele (m), policy manager of the Ethiopian office of ActionAid (international development NGO), lawyer, Netsanet Demissie (m), director of NGO Organization for Social Justice in Ethiopia*, 9 January. (CISNET Ethiopia CX190884)
19. 'Ethiopia urged to halt "harassment and intimidation" of opposition members' 2007, *BBC Monitoring Africa*, source: The Reporter, Addis Ababa, 26 November. (FACTIVA)
20. Immigration and Refugee Board of Canada 2007, *ETH102024.E - Ethiopia: Treatment of political dissidents by government authorities, specifically student and human rights activists (2005 – 2006)*, 2 March <http://www.irb-cisr.gc.ca/en/research/rir/?action=record.viewrec&gotorec=450972> – Accessed 17 January 2008.
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